

REMARKS

The Office rejects claims 1, 2, 4, and 7-13 and merely objects to claims 3, 5, and 6 in the subject application. Applicant amends claims 1, 11, and 13 and cancels claims 6 and 12. Claims 1-5, 7-11, and 13 (3 independent claim and 11 total claims) remain pending in the application. Support for the amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments.

The Examiner merely objects to claims 3, 5, and 6 as being allowable if rewritten in independent form with all of the limitations of the base claim and any intervening claims. Claims 1, 11, and 13 have been amended to include the claim language of allowable claim 6, so that claims 1, 11, and 13 are now allowable. In addition, claims 2-5 and 7-10 now depend from allowable claim 1, so that claims 2-5 and 7-10 are now allowable. Thus, all pending claims are allowable in the subject application.

35 U.S.C. §101 Rejection

The Examiner rejects claim 12 under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. The Examiner alleges that claim 12 is directed toward a program, which is not considered statutory subject matter.

Applicant has canceled claim 12, so that this rejection is moot.

35 U.S.C. §102 Rejections

The Examiner rejects claims 1, 2, 7, and 11-13 under 35 U.S.C. §102(e) as allegedly being anticipated by Kunii (U.S. Patent No. 6,647,139, issued November 11, 2003 to the present Applicant).

Per the above, claims 1, 2, 7, and 11-13 are now allowable, so that this rejection is moot.

35 U.S.C. §103 Rejections

The Examiner rejects claims 8-10 under 35 U.S.C. §103(a) as allegedly being unpatentable over Kunii. Per the above, claims 8-10 are now allowable, so that this rejection is moot.

The Examiner also rejects claim 4 under 35 U.S.C. §103(a) as allegedly being unpatentable over Kunii and Gonzalez (Rafael C. Gonzalez et al., DIGITAL IMAGE PROCESSING 580-583 (1992)). Per the above, claim 4 is now allowable, so that this rejection is moot.

CONCLUSION

Thus, the Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application is thus requested. Applicant invites the Office to telephone the undersigned if he or she has any questions whatsoever regarding this Response or the present application in general.

Respectfully submitted,

By: 
Shahpar Shahpar
Reg. No. 45,875

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
Phone: (602) 382-6306
Fax: (602) 382-6070
Email: sshahpar@swlaw.com